

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: YVETTE RUSSELL : CHAPTER 13
Debtor(s) :
: CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
Movant :
: vs. :
: YVETTE RUSSELL :
Respondent(s) : CASE NO. 5-18-bk-01232

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 9th day of October, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid – 100% plan. More specifically, plan is not funded to pay the unsecured part of the claim by Stillwater Lakes.
2. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(2) in that the debtor(s) has not provided for full payment, in deferred cash payments, of all claims entitled to priority under 11 U.S.C. Sec. 507 – Claim #1 by PA Department of Revenue.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted,

Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: Agatha R. McHale
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 9th day of October, 2018, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Timothy Fisher, Esquire
P.O. Box 396
Gouldsboro, PA 184214

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee